



TRINIDAD AND TOBAGO

No. 35—1948.

[L.S.]

I ASSENT,

J. V. W. SHAW,

Governor.

13th December, 1948.

AN ORDINANCE to amend the San Fernando Corporation
Ordinance, Ch. 39. No. 7

[23rd December, 1948]

Commence-
ment

Enactment

ENACTED by the Governor of Trinidad and Tobago with
the advice and consent of the Legislative Council thereof.

Short title

Ch. 39. No. 7

1. This Ordinance may be cited as the San Fernando Corporation (Amendment) Ordinance, 1948, and shall be read as one with the San Fernando Corporation Ordinance (hereinafter called the Principal Ordinance.)

2. In this Ordinance "Central Authority" shall have the meaning assigned to it by the Central Water Distribution Authority Ordinance, 1944.

Interpretation

No. 6 of 1944

3. This Ordinance shall apply to any area (hereinafter called an extended area) formerly under the control of the Central Authority which has become or may hereafter become part of the Borough.

Application of Ordinance

4. (1) The Corporation shall have and exercise in an extended area all the powers which the Central Authority would have had by virtue of any law if such extended area were under its control, for collecting and enforcing the payment of all water rates charges and sums due and payable to the Central Authority in respect of premises within such extended area to the same extent as if such powers had been expressly conferred on the Corporation by such law.

Provisions for computing and collecting water rates in respect of premises in an extended area

(2) All rateable hereditaments within an extended area which on the 31st December, 1945, appeared in the current assessment roll of the office of the Warden of the District (hereinafter called the assessment roll) shall be deemed for the purpose of computing and collecting water rates for the period from the 1st January, 1946 to the 31st August, 1946 (both dates inclusive) to be subject to the assessment appearing in the assessment roll, unless a new house shall have been erected on any such hereditament since the completion of the assessment roll. Every such assessment shall be apportionable so that the assessment of every rateable hereditament within an extended area for such period from the 1st January, 1946 to the 31st August, 1946, shall be deemed to be eight-twelfths of the amount of the assessment appearing in the assessment roll. The water rate payable on each such rateable hereditament shall become payable on the 30th November, 1948.

Assessment of premises within an extended area for the period 1st January, 1946, to 31st August, 1946

The Corporation shall have and exercise all the powers which the Corporation would have had by virtue of the Principal Ordinance for collecting and enforcing the payment of such water rates if they had been due and payable under the Principal Ordinance.

Assessment of premises within an extended area for the period 1st January, 1946, to 31st August, 1946, where not assessed in assessment roll or new houses have been built thereon

(3) (a) If any rateable hereditament within an extended area does not appear in the assessment roll on the 31st December, 1945, or, if after the completion of the assessment roll for the year 1945 a new house shall have been erected on any such rateable hereditament, it shall be lawful for the Corporation to fix the annual rateable value thereof for the purpose of determining the water rate payable thereon for such period from the 1st January, 1946 to the 31st August, 1946 (such water rate being eight-twelfths of the water rate which would be payable on the annual rateable value so fixed in a complete water rate year), and to fix the date on which such water rate computed on such valuation shall be due and payable. Notice of the rateable value so fixed by the Corporation and of the rate payable thereon and of the date when such rate is due and payable shall be served on the owner of such rateable hereditament or on the person and in the manner prescribed by subsection (1) of section 101 of the Principal Ordinance.

Form of notice

(b) Such notice may be according to the Form A in the Schedule hereto when the premises have been omitted from the assessment roll, and according to the Form B in the Schedule hereto when a new house shall have been erected on the said rateable hereditament.

Appeals

(c) Where the Corporation have fixed the annual rateable value of any hereditaments under paragraph (a) of this subsection, the provisions of sections 102 to 107A of the Principal Ordinance, both inclusive, relating to the owner's right of objection to valuations made by the Corporation for house rates and to appeals from the decisions of the Corporation or of the Magistrate with respect to such valuations shall apply to the valuations made under the power conferred by the said paragraph (a).

5. Notwithstanding anything in the Principal Ordinance contained—

Dates for payment of water rates on premises in an extended area for the period from 1st September, 1946, to 31st August, 1947, and 1st September, 1947, to 31st August, 1948

(a) the water rate on any rateable hereditament in an extended area in respect of the period commencing on the 1st September, 1946 and ending on the 31st August, 1947, shall be payable on the 30th November, 1949.

(b) the water rate on any rateable hereditament in an extended area in respect of the period commencing on the 1st September, 1947 and ending on the 31st August, 1948 shall be payable on the 30th November, 1950.

6. (1) Any such water rate as is in section 4 or section 5 mentioned remaining unpaid for a period of sixty days after the same shall have become due shall be increased by a sum equal to six per centum of such rate, and, if such rate shall remain unpaid for a period of one year after the expiration of the said period of sixty days, it shall be further increased by an additional sum equal to six per centum of such rate.

Statutory increase

(2) If any part of such rate or increase remains unpaid for a further period of eight months, the Town Clerk, the Mayor and every officer of the Corporation shall forthwith act in accordance with the provisions of subsection (3) of section 110 of the Principal Ordinance, as if a case had arisen under the provisions of that subsection for the sale of the hereditament in respect of which such rate or increase is payable.

7. The Corporation shall be deemed to have had from the 16th February, 1946, full authority to enter into any agreement with the Central Authority relating to the supply and distribution of water within an extended area and the manner of computing levying and collecting water rates charges and sums payable in respect of premises within such area and for apportioning between the Central Authority and the Corporation the proceeds of such rates charges and sums.

Corporation given retrospective power to make agreements with the Central Authority

SCHEDULE

FORM A

Section 4 (3)

NOTICE OF VALUATION FOR DETERMINING THE WATER RATES OF PREMISES OMITTED FROM THE ASSESSMENT ROLL

To or other the owner of the premises
No. Street.

TAKE NOTICE that pursuant to the power contained in section 4 (3) of the San Fernando Corporation (Amendment) Ordinance 1948 the annual rateable value of premises described in the first column hereunder (which were omitted from the assessment roll) has been fixed by the Corporation at the sum appearing in the third column and the rate payable thereon and the date on which such rate in respect of the period commencing on the 1st day of January 1946 and ending on the 31st day of August, 1946, is due and payable are shown in the fourth and fifth columns respectively.

Premises— Street No.	Owner or reputed owner	Valuation or annual rateable value	Proportion of water rate payable	Date on which the proportionate Water rate is due, and payable
1	2	3	4	5

Dated the.....19.....

Town Clerk.

N.B.—If you are dissatisfied with the above alteration of assessment you may send in an objection thereto in writing to the Town Clerk not later than 14 days after the service of this notice on you.

FORM B

Section 4 (3)

NOTICE OF VALUATION OF NEW HOUSE ERECTED AFTER COMPLETION OF THE ASSESSMENT ROLL FOR 1945

To A.B., or other the owner of premises No. Street.

TAKE NOTICE that the Mayor, Aldermen and Burgesses of San Fernando, pursuant to the power contained in section 4 (3) of the San Fernando Corporation (Amendment) Ordinance, 1948, have fixed the annual rateable value of the premises described in the first column hereunder (being a new house erected since the completion of the Assessment Roll for the year 1945) at a sum appearing in the third column for the period commencing on the 1st day of January, 1946, and ending on the 31st day of August, 1946.

The annual rate payable in respect of such house is shown in the fourth column, and the proportion of such annual rate in respect of such period and the date on which such proportionate rate is due and payable are shown in the fifth and sixth columns respectively.

Premises	Owner or reputed Owner	Annual rateable value	Annual rate payable	Proportion of annual rate computed from 1st January, 1946 to 31st August, 1946 payable for the said period	Date on which the proportionate water rate in column 5 is due and payable
1	2	3	4	5	6

Dated the.....19.....

.....
Town Clerk.

N.B.—If you are dissatisfied with the above assessment you may send in an objection thereto in writing to the Town Clerk not later than 14 days after the service of this notice on you.

Passed in Council this 3rd day of December, in the year of Our Lord one thousand nine hundred and forty-eight.

J. L. SUPERVILLE,
Clerk of the Council.